

**TRANSMITTAL
FORM**

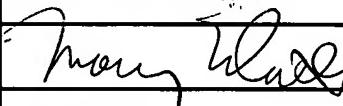
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	12	Attorney Docket Number	382.1048
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ENCLOSURES (check all that apply)

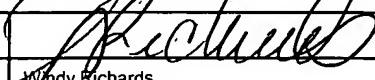
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Paper copy of Revised Sequence Listing; - 1 Diskette containing Sequence Listing; - Revised Application Data Sheet; and - Return receipt postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Davidson Davidson & Kappel, LLC		
Signature			
Printed Name	Morey B Wildes		
Date	October 28, 2005	Reg. No.	36,968

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	
Typed or printed name	Wendy Richards
	Date
	October 28, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Applicants: Kazuko SHINOZAKI, et al.

Application No.: 10/550,584

International Appl. No.: PCT/JP04/002563

International Filing Date: March 2, 2004

For: **STRESS-INDUCIBLE PROMOTER
AND METHOD FOR USING THE
SAME**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 28, 2005

SECOND PRELIMINARY AMENDMENT

SIR:

Preliminary to examination of the above-identified application, Applicants request that the United States Patent and Trademark Office substitute the Substitute Sequence Listing provided herewith in computer readable form (1 disk) and in paper form (6 pages), in conformance with 37 C.F.R. § 1.821-1.825, for the sequence listing that was filed on September 22, 2005 in computer readable form (1 disk) and paper form (6 pages).

The undersigned hereby states that the substitute sequence listing information recorded in computer readable form is identical to the written sequence listing submitted herewith, in accordance with 37 C.F.R. § 1.821(f), and contains no new matter beyond that which was submitted on September 22, 2005.

Applicants also submit herewith a revised Application Data Sheet to correct errors in the name and address of the second assignee in the Application Data Sheet filed on September 22, 2005.

Applicants respectfully submit that the claims presented are patentable. An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: Morey B. Wildes
Morey B. Wildes
Reg. No. 36,968

DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue, 14th Floor
New York, NY 10018
(212) 736-1940